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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,695	09/04/2003	William H. Hanewinkel III	907A.0146.U1(US)	8571
29683	7590	07/19/2005	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			SWIATEK, ROBERT P	
			ART UNIT	PAPER NUMBER
			3643	

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/656,695

Applicant(s)

HANEWINKEL ET AL.

Examiner

Robert P. Swiatek

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-12, 14-20 and 23-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2, 3, 6-12, 14-20 and 23-27 is/are allowed.
- 6) ☒ Claim(s) 1 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The finality of the Office action mailed 20 May 2005 is hereby withdrawn; prosecution in this application has been reopened such that newly-found prior art can be applied to several of the claims.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Reese (US 3,727,059). The Reese patent discloses a rectangular plate 10 having a first section in the form of a base plate including a perimeter flange (see column 4, lines 45, 46 of Reese) mounted against the outer surface of a wall 6 and a second section in the form of upstanding heat dissipation fins (Reese variously designates these fins with numerals 12 and 14) extending outwardly from the base plate. Apertures (unnumbered, but shown accommodating bolts 16 in Figure 2 of Reese) are located at the four corners of the plate 10. The first and second sections are formed integrally as a one-piece member. Although the Reese plate 10 is not shown as closing an access opening through the exterior surface of an aircraft, it is “adapted to be attached,” i.e., *capable of being attached*, to an aircraft. Moreover, instant claim 1 merely recites the subcombination component and not the combination of an aircraft and the component. It is noted furthermore that since heat dissipation elements are well-known adjuncts of aircraft (see,

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for example, elements 47, 49 of the Altoz et al. patent cited on applicants' Information Disclosure Citation), the Reese plate 10 therefore qualifies as an "aircraft component."

The patents to Arleque (US 2,798,695), Pfouts (US 3,550,678), and He et al. (US 6,568,464 B1) have been cited to provide additional examples of radiant heat sinks.

Examiner regrets the previous indication of allowability of dependent claim 4.

Summary: Claims 1, 5 have been rejected; claims 2, 3, 6-12, 14-20, 23-27 have been allowed; claims 4, 13, 21, 22 have been cancelled.

RPS: 571/272-6894
14 July 2005

Robert P. Swiatek

ROBERT P. SWIATEK
PRIMARY EXAMINER
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